

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CR. NO. <u>2:07mj55-SRW</u>
	)	
JULIAN PATRICK ROBINSON	)	

**GOVERNMENT'S MEMORANDUM ON REMOVAL PURSUANT TO RULE 5,  
FEDERAL RULES OF CRIMINAL PROCEDURE**

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and in support of the removal of the above-named defendant without a detention hearing, the following is submitted:

1. Julian Patrick Robinson, defendant herein, was indicted in the Southern District of Illinois on April 19, 2007. Defendant was arrested pursuant to warrant for arrest in this district and had his initial appearance pursuant to Rule 5, Federal Rules of Criminal Procedure, on June 5, 2007.

2. Pursuant to Rule 5(c)(3)(A), the defendant was advised of the provisions of Rule 20. As previously stated, he was arrested pursuant to a warrant. Defendant is not entitled to a preliminary hearing since he has been indicted.

3. The question now before the court is the decision of whether or not the defendant is entitled to a detention hearing in this district or must be returned to the district of indictment for a detention hearing.

4. The United States submits that Rule 5(c)(3)(D) provides that the magistrate judge must transfer the defendant to the district where the offense was allegedly committed... However, the undersigned has talked with Assistant United States Attorney Cris Moore from the Southern

District of Illinois who does not object to the defendant being allowed to be released on bond and given a date to surrender in that district.

Respectfully submitted on this 8<sup>th</sup> day of June 2007.

LEURA G. CANARY  
UNITED STATES ATTORNEY

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 8, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Kevin Butler, Esq.

Respectfully submitted,

/s/Kent B. Brunson  
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